

UNITED STATES DISTRICT COURT
for the
Eastern District of California

FILED

MAR 14 2023

UNITED STATES OF AMERICA,

v.

PETER YANG

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CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY WZ
DEPUTY CLERK

Case No. 1:23-CR-00038 JLT SKO

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: **United States District Court, 2500 Tulare Street, Fresno, California 93721**
Place

on **7/5/2023 at 1:00 PM before Magistrate Judge Sheila K. Oberto**
Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance and Compliance Bond, if ordered.

Defendant's release is delayed until 8:30 A.M. on the next business day following defendant's mother's arrival in Fresno, California, at which time the third party custodian, or a party approved by Pretrial Services, will transport defendant directly from the Fresno County Jail to the Pretrial Services Office in Fresno. Defendant will then be transported by his mother to Sacramento to retrieve his belongings and then directly to her home in Lakeville, Minnesota.

YANG, Peter

DOC. NO. 1:23-CR-00038-JLT-SLO

ADDITIONAL CONDITIONS OF RELEASE

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below.

- ☒ (6) The defendant is placed in the custody of:

Name of person or organization Christine Mao Yang and Isabel Yang

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

SIGNED: *Christine M. Yang*
CUSTODIAN

SIGNED: *Isabel Yang*
CUSTODIAN

- ☒ (7) The defendant must:
- ☒ (a) report on a regular basis to the following agency:
Pretrial Services and comply with their rules and regulations;
 - ☒ (b) report to the Pretrial Services Agency immediately following your release from custody;
 - ☒ (c) reside with your third-party custodian at a location approved by the pretrial services officer, and not change your residence without the prior approval of the pretrial services officer;
 - ☒ (d) cooperate in the collection of a DNA sample;
 - ☒ (e) restrict your travel to the District of Minnesota and the Eastern District of California for Court related purposes only, unless otherwise approved in advance by the pretrial services officer;
 - ☒ (f) surrender your passport to the Clerk, U.S. District Court in Fresno or Sacramento no later than 5 days after your release, and you must not apply for or obtain a passport or any other travel documents during the pendency of this case;
 - ☒ (g) not possess, have in your residence, or have access to a firearm/ammunition, destructive device, or other dangerous weapon, additionally, you must provide written proof of divestment of all firearms/ammunition currently under your control;
 - ☒ (h) refrain from excessive use of alcohol or any use of a narcotic drug or other controlled substance without a prescription by a licensed medical practitioner; and you must notify Pretrial Services immediately of any prescribed medication(s). However, medicinal marijuana prescribed and/or recommended may not be used;
 - ☒ (i) participate in a program of medical or psychiatric treatment, as approved by the pretrial services officer. You must pay all or part of the costs of counseling services based upon your ability to pay, as determined by the pretrial services officer;
 - ☒ (j) report any contact with law enforcement to your pretrial services officer within 24 hours;
 - ☒ (k) not view or possess child pornography as defined by 18 USC 2256(8) except in the presence of your attorney to prepare for your defense;
 - ☒ (l) not access the Internet and your custodian must password protect the Wi-Fi service in the family home and not provide the password to you;
 - ☒ (m) not use or possess a computer or any device capable of accessing the Internet in your residence or at any other location unless otherwise approved by the pretrial services officer. Your custodian is authorized to have one password protected iPhone and your sister is authorized to have one password protected iPhone and one password protected laptop computer in the residence; additionally, you must surrender your personal smartphone to your custodian and your custodian must secure this device in a location where you do not have access;
 - ☒ (n) not loiter or be found within 100 feet of any school yard, park, playground, arcade, movie theater, or other place primarily used by children under the age of 18;
 - ☒ (o) not associate or have verbal, written, telephonic or electronic communication with any person who is under the age of 18, including the alleged victim in this case, except in the presence of another adult who is the parent or legal guardian of the minor;
 - ☒ (p) any employment or volunteer opportunities must be approved in advance by your Pretrial Services Officer. You must not be employed or participate in any volunteer activities in which there is a likelihood of contact with children under the age of 18;
 - ☒ (q) the pretrial services officer must advise your employer of the conditions of release that may limit your work-related use of a computer or limit your work activities;
 - ☒ (r) participate in the following Location Monitoring program component and abide by all the requirements of the program, which will include having a location monitoring unit installed in your residence and a GPS transmitter device attached to your person. You must comply with all instructions for the use and operation of said devices as given to you by the Pretrial Services Agency and employees of the monitoring company. You must pay all or part of the costs of the program based upon your ability to pay as determined by the pretrial services officer.
HOME DETENTION: You must remain inside your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits, court appearances; court-ordered obligations, or other essential activities pre-approved by the pretrial services officer. Essential activities include haircuts, DMV appointments, banking needs, or other activities that cannot be completed by another person on your behalf; and,

USMS SPECIAL INSTRUCTIONS:

- ☒ (s) have your release on bond delayed until 8:30 a.m., on the next business day following your mother's arrival in Fresno, California, at which time your third-party custodian or an approved party by Pretrial Services will transport you directly from the Fresno County Jail to the Pretrial Services Office in Fresno at 2500 Tulare Street, Suite 3601, Fresno, California. You will then be transported by your mother to Sacramento to retrieve your belongings and then directly to her home in Lakeville, Minnesota, where you will remain at the residence and maintain contact with Pretrial Services until you are contacted by an officer in the District of Minnesota for activation on the location monitoring program.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.


Defendant's Signature

Directions to the United States Marshal

(☒) The defendant is ORDERED released after processing.

Date: 3/14/2023


Judicial Officer's Signature

Erica P. Grosjean, United States Magistrate Judge

Printed name and title